

1 **ALL COUNSEL LISTED ON SIGNATURE PAGE**

2  
3  
4  
5  
6  
7  
8  
9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**

12 THOUGHT, INC., a California corporation,

13 Plaintiff,

14 v.

15 ORACLE CORPORATION, a Delaware  
16 corporation; ORACLE AMERICA, INC. a  
17 Delaware corporation; and ORACLE  
INTERNATIONAL CORPORATION, a  
California corporation,

18 Defendants.  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Civil Action No. C12-5601 WHO

**STIPULATION AND ORDER  
CONTINUING CASE MANAGEMENT  
CONFERENCE AND MODIFYING  
OTHER DEADLINES**



Pursuant to Civil Local Rules 16-2(e) and 7-12, Defendants Oracle Corporation, Oracle America, Inc., and Oracle International Corporation (collectively, "Oracle") and Plaintiff Thought, Inc. hereby stipulate and jointly request that the Court continue the November 19, 2014 case management conference by **two weeks** and modify other deadlines as follows:

WHEREAS the parties' case management conference is currently scheduled for November 19, 2014 and the case management conference statement is due on November 13, 2014 (Dkt. No. 116);

WHEREAS Oracle has a scheduling conflict on November 19 due to a hearing before the Patent Trial and Appeal Board on November 18 in Alexandria, VA concerning Oracle's IPR petitions on three of the patents-in-suit;

WHEREAS there is already a hearing scheduled before the Court on December 3, 2014 concerning Oracle's Motion for Leave to Amend Its Invalidity Contentions (Dkt. No. 114) and it would be convenient to combine that hearing with the case management conference;

WHEREAS Thought's Final Election of Asserted Claims is due on November 19, 2014 and Oracle's Final Election of Asserted Prior Art is due on December 3, 2014 (Dkt. No. 50), and the parties wish to extend these deadlines to allow more time for the parties to make their respective elections;

WHEREAS the parties wish to modify the above-referenced dates as follows:

Event	Current Date	New Date
Deadline to file Joint Case Management Conference Statement	November 13, 2014	November 25, 2014
Case Management Conference	November 19, 2014 at 2 p.m.	December 3, 2014 at 2 p.m.
Deadline for Final Election of Asserted Claims	November 19, 2014	December 10, 2014
Deadline for Final Election of Asserted Prior Art	December 3, 2014	December 27, 2014

WHEREAS, in view of the above reasons, good cause exists for the requested continuance and modifications;

WHEREAS the Parties' stipulation does not affect any other dates in the case schedule or otherwise accelerate or extend any other time frames set in the Local Rules or in the Federal



Rules;

THEREFORE, the parties stipulate to and respectfully request that the case management conference dates be continued and the deadlines for the parties to make final elections of asserted claims and prior art be modified as outlined above.

Respectfully submitted,

Dated: November 5, 2014

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Mark S. Carlson

Steve W. Berman (*Pro Hac Vice*)

Mark S. Carlson (*Pro Hac Vice*)

HAGENS BERMAN SOBOL SHAPIRO LLP

1918 Eighth Avenue, Suite 3300

Seattle, WA 98101

Telephone: (206) 623-7292

Facsimile: (206) 623-0594

Emails: [steve@hbsslaw.com](mailto:steve@hbsslaw.com)

[markc@hbsslaw.com](mailto:markc@hbsslaw.com)

Jeff D. Friedman (SBN 173886)

HAGENS BERMAN SOBOL SHAPIRO LLP

715 Hearst Avenue, Suite 202

Berkeley, CA 94710

Telephone: (510) 725-3000

Facsimile: (510) 725-3001

Email: [jefff@hbsslaw.com](mailto:jefff@hbsslaw.com)

*Attorneys for Plaintiff*

*Thought, Inc.*

Dated: November 5, 2014

KILPATRICK TOWNSEND & STOCKTON LLP

By: /s/ Robert J. Artuz

Robert J. Artuz (SBN 227789)

KILPATRICK TOWNSEND & STOCKTON LLP

1080 Marsh Road

Menlo Park, CA 94025

Telephone: (650) 326-2400

Facsimile: (650) 326-2422

Email: [rartuz@kilpatricktownsend.com](mailto:rartuz@kilpatricktownsend.com)

James G. Gilliland, Jr. (SBN 107988)

Mehrnaz Boroumand Smith (SBN 197271)

Steven D. Moore (SBN 290875)

Benjamin M. Kleinman-Green (SBN. 261846)

Sara B. Giardina (SBN 278954)



Kevin J. O'Brien (SBN 278823)  
KILPATRICK TOWNSEND & STOCKTON LLP  
Eighth Floor, Two Embarcadero Center  
San Francisco, CA 94111  
Telephone: (415) 576-0200  
Facsimile: (415) 576-0300  
Emails: jgilliland@kilpatricktownsend.com  
mboroumand@kilpatricktownsend.com  
smoore@kilpatricktownsend.com  
bkleinman-green@kilpatricktownsend.com  
sgiardina@kilpatricktownsend.com  
kobrien@kilpatricktownsend.com

*Attorneys for Defendants  
Oracle Corporation, Oracle America, Inc., and  
Oracle International Corporation*

Filer's Attestation

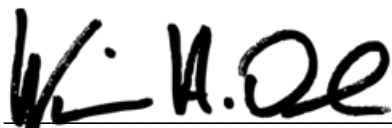
Pursuant to Civil Local Rule 5-1(i)(3), Robert Artuz, hereby attests that the above-named signatories concur in this filing.

DATED: November 5, 2014

/s/ Robert J. Artuz  
Robert J. Artuz

**PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

Dated: November 5, 2014 \_\_\_\_\_

  
\_\_\_\_\_  
HON. WILLIAM H. ORRICK  
UNITED STATES DISTRICT JUDGE

